

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

**UNITED STATES OF AMERICA** : **CRIMINAL NO. 1:03-CR-0250-05**  
:  
**v.** : **(Judge Conner)**  
:  
**OTIS GRAYSON** :

**ORDER**

AND NOW, this 18th day of August, upon consideration of the competency hearing held on the date of this order, during which the court found defendant incompetent to be resentenced and the government moved to dismiss all charges against defendant pursuant to Rule 48(a) of the Federal Rules of Criminal Procedure, and, for the reasons stated on the record therein, it is hereby ORDERED that:

1. The government's motion to dismiss the charges against defendant is GRANTED. All charges against defendant are DISMISSED. See FED. R. CRIM. P. 48(a); United States v. Smith, 467 F.3d 785, 787-88 (D.C. Cir. 2006).
2. The judgment (Doc. 930) against defendant dated October 27, 2004 is VACATED.
3. Defendant's motion (Doc. 1216) for a sentence reduction in accordance with retroactive amendments to the United States Sentencing Guidelines is DENIED as moot.
4. The Clerk of Court is instructed to CLOSE this case.

S/ Christopher C. Conner  
CHRISTOPHER C. CONNER  
United States District Judge